

### **Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

### **Listing of Claims:**

1. (currently amended) A circuit for a first communication partner appliance designed for contactless ~~communication, which first communication partner appliance belongs to~~ communication within a communication system comprising at least one second ~~such~~ communication partner appliance in which circuit either an active send mode or a passive send mode may be ~~activated and wherein the circuit comprises~~ activated, the circuit comprising:

terminal means ~~which are provided~~ to transmit carrier signals usable for contactless ~~communication, and~~ communication;

~~wherein the circuit comprises communication signal processing means with which communication signal processing means to activate an active send mode and a passive send mode, wherein the active send mode uses a carrier signal generated with the communication signal processing means may be used for sending communication when the active send mode is activated, and with which communication signal processing means for the contactless communication, and the passive send mode uses a carrier signal generated with a second communication partner appliance and received by the circuit via the terminal means may be used for sending communication when the passive send mode is activated, and wherein the circuit comprises~~ for the contactless communication;

determination means ~~which are designed~~ to determine first energy source information which ~~first energy source information is characteristic of~~ comprises at least one parameter of at least one energy source serving to supply the circuit with electrical energy, ~~and wherein the circuit comprises~~ energy;

an external energy source information identification stage to identify second energy source information which comprises at least one parameter of at least one energy

source serving to supply a circuit of the second communication partner appliance with electrical energy; and

decision means ~~which are designed~~ to form a decision result taking account of based on the first and second energy source information ~~determined using the determination means, which from the first and second communication partner appliances,~~ wherein the decision result influences which send mode is to be activated in the circuit of the first communication partner ~~appliance~~ appliance.

2. (currently amended) A circuit as claimed in claim 1, wherein the determination means are designed to determine first value information which first value information is characteristic of the value of the energy available for supplying the circuit and which first value information is contained in the first energy source ~~information~~ information.

3. (currently amended) A circuit as claimed in claim 1, wherein the determination means are designed to determine first type information which first type information is characteristic of the type of energy source serving to supply the circuit and which first type information is contained in the first energy source ~~information~~ information.

4. (canceled)

5. (currently amended) A circuit as claimed in ~~claim 4,~~ claim 1, wherein the decision means are additionally designed to form the decision result taking account of second value information available in the circuit but determined in the circuit of the second communication partner appliance which second value information is contained in the second energy source information determined in the circuit of the second communication partner ~~appliance~~ appliance.

6. (currently amended) A circuit as claimed in ~~claim 4,~~ claim 1, wherein the decision means are additionally designed to form the decision result taking account of second type information available in the circuit but determined in the circuit of the second communication partner appliance which second type information is contained in the second energy source information determined in the circuit of the second communication partner ~~appliance~~ appliance.

7. (currently amended) A circuit as claimed in claim 1, wherein the decision means are designed to communicate the decision result to the second communication partner appliance with the aid of the communication signal processing ~~means~~ means.

8. (currently amended) A circuit as claimed ~~claim 1 wherein~~ claim 1, further comprising control means ~~are provided, which are designed to receive the decision result and which, if according to the decision result the send mode other than the previously activated send mode is to be activated, are designed to terminate the previously activated send mode, thus terminating a communication protocol used therefor, and to activate the send mode to be activated according to the decision result, restarting the stated~~ result with a restart of the communication protocol.

9. (currently amended) A circuit as claimed in ~~claim 1 wherein~~ claim 1, further comprising control means ~~are provided, which are designed to receive the decision result and which, if according to the decision result the same send mode as the previously activated send mode is to be activated, are designed to maintain the previously activated send mode, with termination and subsequent restart of a communication protocol used.~~

10. (currently amended) A communication partner appliance having a circuit as claimed in ~~claim 1,~~ claim 1.

11. (currently amended) A method of controlling a send mode of a circuit ~~with regard to its send modes, which circuit is provided~~ for a first communication partner appliance designed for contactless communication, which first communication partner appliance belongs to a communication system comprising at least one second such communication partner appliance and which circuit comprises terminal means which are provided to transmit carrier signals usable for contactless communication, and in which circuit either an active send mode or a passive send mode may be ~~activated, in which active send mode a carrier signal that can be generated by communication signal processing means of the circuit may be used for sending communication by means of the communication signal processing means and in which passive send mode a carrier signal received by the circuit may be used for sending communication,~~ activated, the method comprising:

~~wherein determining first energy source information is determined which first energy source information is characteristic of~~ comprises at least one parameter of at least one energy source serving to supply the circuit with electrical ~~energy, and~~ energy;

receiving second energy source information which comprises at least one parameter of at least one energy source serving to supply a second communication partner appliance with electrical energy;

activating the active send mode or the passive send mode in response to the decision result, wherein the active send mode uses a carrier signal generated by the circuit for the contactless communication, and the passive send mode uses a carrier signal received by the circuit for the contactless communication,

12. (currently amended) A method as claimed in claim 11, wherein determining the first energy source information comprises determining first value information is ~~determined~~, which first value information is characteristic of the value of the energy available for supplying the circuit sand which first value information is contained in the ~~first energy source information~~ information.

13. (currently amended) A method as claimed in claim 11, wherein determining the first energy source information comprises determining a first type information is determined, which first type information is characteristic of the type of energy source serving to supply the circuit and which first type information is contained in the first energy source ~~information~~ information.

14. (canceled)

15. (currently amended) A method as claimed in ~~claim 14~~, claim 11, wherein the ~~decision result is formed additionally taking account of~~ second energy source information comprises second value information available in the circuit but determined in the circuit of the second communication partner-appliance which second value information is contained in the second energy source information determined in the circuit of the second communication partner-appliance appliance, wherein the second value information relates to a value of an electrical parameter of the at least one energy source of the second communication appliance.

16. (currently amended) A method as claimed in ~~claim 14~~, claim 11, wherein the ~~decision result is formed additionally taking account of~~ second energy source information comprises second type information available in the circuit but determined in the circuit of the second communication partner-appliance which second type information is contained in the second energy source information determined in the circuit of the second communication partner-appliance appliance, wherein the second type information relates to a type of the at least one energy source of the second communication appliance.

17. (currently amended) A method as claimed in claim 11, ~~wherein further comprising communicating the decision result is communicated to the second communication partner-appliance with the aid of the communication signal processing means~~ appliance.

18. (currently amended) A method as claimed in claim 11, wherein, if according to the decision result the send mode other than the previously activated send mode is to be activated, the ~~control means of the circuit designed to receive the decision result~~ terminate method further comprises:

terminating the previously activated send mode through termination of a communication protocol ~~used therefor, and; and~~

activating the send mode to be activated according to the decision result ~~is~~ ~~activated~~ with a restart of said communication protocol.

19. (currently amended) A method as claimed ~~claim 11~~ claim 11, wherein, if according to the decision result the same send mode as the previously activated send mode is to be activated, the ~~control means of the circuit designed to receive the decision signal~~ maintain method further comprises maintaining the previously active send mode through termination and subsequent restart of a communication protocol ~~used~~.